

LAW OFFICE OF
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A PROFESSIONAL LIMITED LIABILITY COMPANY

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November 26, 2008

RECEIVED

DEC 1 2008

DES-WEB

Ms. Margaret Bastien
N.H. DES, Water Division
PO Box 95
Concord, NH 03302-0095

Re: Town of Newport
Administrative Order by Consent, No. 08-005 WD
Our File No. 2302

Dear Peg:

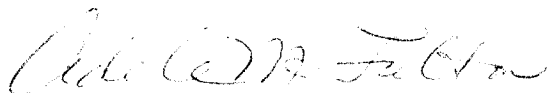
I have been asked by the Town of Newport to send you this letter in response to the transmittal of a final draft Administrative Order by Consent agreement received by the Town on October 30, 2008.

I am informed that the Board of Selectmen for the Town are inclined to sign such an agreement but need to wait until there is Town Meeting approval. The Selectmen are not in the position of being able to bind the Town to implement the terms of the agreement without an appropriation to fund the agreement. Last year, which was the first year Newport had the SB2 form of town meeting (with an official ballot for voting, separated from the deliberative session earlier), the warrant article to appropriate funds for this project failed by only 2 votes. The Selectmen intend to put a similar article into the warrant at the next town meeting in May 2009.

in the meantime, I understand that you have had a conversation with Mr. Wiggins, the Public Works Director, about the schedule in Section E of the proposed agreement and that the 10/30/08 draft received by the Town will be corrected in the future.

If you have any questions, please don't hesitate to let me know.

Sincerely,



Adele M. Fulton

cc: Daniel P. O'Neill
Larry Wiggins